

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

NOTICE OF MOTION

- against -

Case No.: 14 CR 716 (S9) (VM)

BAKTASH AKASHA ABDALLA,

Defendant.

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TO: AUSA Emil Bove
United States Attorney's Office
Southern District of New York
1 Saint Andrews Plaza
New York NY 10007

PLEASE TAKE NOTICE, that upon the annexed memorandum of law and Exhibits attached thereto, the attorney for the Defendant, BAKTASH AKASHA ABDALLA, CHRISTOPHER J. CASSAR, an attorney admitted to practice in the Federal Court of the Southern District of New York, duly declared on the 10th day of August 2018, the undersigned will move the United States District Court, Southern District of New York, located at 500 Pearl Street New York, New York 10007, before the United States Judge Hon. Victor Marrero, at a time to be determined by this Court for the following designated Orders:

I. GRANTING THE MOTION TO DISMISS THE INDICTMENT AGAINST THE DEFENDANT PURSUANT TO FED. R. OF CRIM. PRO. 12(b)(2) BECAUSE THIS COURT LACKS JURISDICTION OVER THE DEFENDANT;

II. GRANTING THE MOTION TO DISMISS THE INDICTMENT AGAINST DEFENDANT PURSUANT TO FED. R. CRIM. PRO. 12(b)(3)(A)(i) BECAUSE VENUE IS IMPROPER IN THIS COURT;

III. GRANTING THE MOTION TO SUPPRESS ANY AND ALL POTENTIAL IDENTIFICATIONS OF THE DEFENDANT OR IN THE ALTERNATIVE, GRANT THE DEFENDANT'S MOTION FOR A HEARING ON SUCH ISSUE;

IV. GRANTING THE DEFENDANT'S MOTION FOR A HEARING ON ANY POTENTIAL EVIDENCE OF THE DEFENDANT'S PRIOR BAD OR IMMORAL ACTS AND PRIOR CRIMES THAT MAY BE USED TO IMPEACH THE DEFENDANT UNDER FED. R. OF EVIDENCE 403, 608 AND 609;

V. GRANTING THE MOTION TO SUPPRESS ANY AND ALL STATEMENTS MADE BY THE DEFENDANT TO GOVERNMENT AGENTS BECAUSE THE STATEMENTS WERE OBTAINED IN VIOLATION OF THE DEFENDANT'S CONSTITUTIONAL RIGHTS;

VI. DISCLOSURE PURSUANT TO *Brady* and *Giglio* OF ANY AND ALL CONFIDENTIAL INFORMANTS WHICH THE GOVERNMENT HAS RELIED ON IN ITS CASE; and

VII. GRANTING SUCH OTHER AND FURTHER RELIEF AS THIS COURT DEEMS JUST AND PROPER.

Dated: Huntington, New York
August 10, 2018

Yours, etc.,

CHRISTOPHER J. CASSAR, P.C.

/s/

By: Christopher J. Cassar (CC 9520)

Attorneys for Defendant

BAKTASH AKASHA ABDALLA

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